REMARKS

An excess claim fee payment letter is submitted herewith for eight (8) additional claims.

Claims 1-28 are all the claims presently pending in the application. Claims 21-28 have been added. Claims 1, 8, and 20 are independent.

These amendments are made only to more particularly point out the invention for the Examiner and not for narrowing the scope of the claims or for any reason related to a statutory requirement for patentability.

Applicant also notes that, notwithstanding any claim amendments herein or later during prosecution, Applicant's intent is to encompass equivalents of all claim elements.

Claims 1-4, 6-12, and 14-20 stand rejected under 35 U.S.C. § 103(a) as being obvious over the Thompson reference in view of Buhrmann et al. reference. Claims 5 and 13 stand rejected under 35 U.S.C. § 103(a) as being obvious over the Thompson reference in view of Buhrmann et al. reference and further in view of the Crnkovic et al. reference.

These rejections are respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

The claimed invention is directed to a portable telephone set, including a detachable transmission module, and a transmitting circuit adapted to transmit in a transmission frequency signal in accordance with instructions in a predetermined software program. The detachable transmitting module conditions the transmission frequency signal received from the transmitting circuit.

Conventional software portable telephone sets are reconfigurable for different transmission systems by replacing the operating program that is required by the wide-band active and passive components in order to cope with a plurality of different systems. However, any increase in frequency band coverage is accompanied by a corresponding deterioration in characteristics.

This deterioration is particularly evident on the transmission side of the system. More particularly, it has been particularly difficult to maintain a high efficiency for a transmitting power amplifier over a wide frequency band.

Similarly, it is difficult to increase frequency band coverage without loss in transmission signal filters and isolators.

The present invention overcomes these difficulties by providing a portable telephone set with a detachable transmission module that conditions a transmission frequency signal received from a transmitting circuit. In this manner, the present invention provides the ability to condition the transmission frequency signal which may have been generated by a wide band frequency generating circuit to correct any deficiencies in that transmission signal.

In one embodiment of the present invention, the conditioning performed by the detachable transmission module corresponds to a specific transmission system.

II. THE PRIOR ART REJECTIONS

A. The Thompson reference in view of the Buhrmann et al. reference

Regarding the rejection of claims 1-4, 6-12, and 14-20, the Examiner alleges that the Buhrmann et al. reference would have been combined with the Thompson reference to form the claimed invention. Applicant submits, however, that these references would not have been combined and even if combined, the combination would not teach or suggest each and every element of the claimed invention.

First, Applicant respectfully submits that the Examiner has failed to comply with the clear requirements that are set forth in the Manual of Patent Examining Procedure. In particular, the Examiner has failed to comply with the requirements of the M.P.E.P. as set forth in § 707.07(f) by failing to answer all material traversed.

> *"Where the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it." (M.P.E.P. § 707.07(f), emphasis added).*

Specifically, in the Request for Reconsideration that was filed on March 31, 2004 and in the Amendment that was filed on July 14, 2003, the Applicant pointed out that the Thompson reference does not teach or suggest a transmitting circuit that is reconfigured afresh in relation to the mounting and demounting of the transmitting function part.

Clearly, the Examiner has failed to address this traversal.

Indeed, the Examiner does not mention anything at all regarding the traversal which pointed out that rather than reconfiguring any transmission circuits, the Thompson reference

discloses separate and independent application modules which each incorporate entire transmission circuits that are specifically configured for a corresponding type of transmission protocol. Thus, contrary to the Examiner's allegations, the Thompson reference does not teach or suggest reconfiguring anything, but instead discloses replacing application circuits, none of which are "reconfigured."

Further, the Examiner not only fails to address this traversal, but also merely cut and pasted the very same allegations regarding the Thompson reference from the May 7, 2003, Office Action AND the January 15, 2004, Office Action into the currently pending Office Action.

Therefore, in view of the Examiner's continued refusal to answer the material traversed, Applicant respectfully submits that the Examiner is not furthering prosecution of the Applicant's patent application. As a result, the Examiner's continued rejection on this basis is clearly appealable.

Applicant submits that these references would not have been combined as alleged by the Examiner. Indeed, the references are directed to completely different matters and problems.

Specifically, the Thompson reference is directed to addressing the need for providing a communication system with enhanced data handling, secure two-way communication, and enhanced information presentation along with an easy to operate and understand communication device (col. 2, lines 43-48).

In stark contrast, the Buhrmann et al. reference is specifically directed to providing a pager/telephone device having a pager having the transceiver circuits and which is detachable from a phone unit that includes those components that are only required by the telephone (col. 1,

line 8 - col. 2, line 24).

One of ordinary skill in the art who was concerned with providing a communication system with enhanced data handling, secure two-way communication, and enhanced information presentation along with an easy to operate and understand communication device as the Thompson reference is concerned with providing would not have referred to the Buhrmann et al. reference because the Buhrmann et al. reference is concerned with the completely different and unrelated problem of providing a pager/telephone device. Thus, the references would not have been combined, absent hindsight.

Further, Applicant submits that the Examiner can point to no motivation or suggestion in the references to urge the combination as alleged by the Examiner.

The Examiner alleges that "it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thompson's system with Buhrmann's disclosed technique in order to provide a convenient software portable telephone set that can condition a transmission frequency signal with the detachable transmitting part as taught by Buhrmann (sic) for flexible application into other portable devices (col. 7/lines 50-62). This is also served as a motivation for having a detachable transmitting part within the portable communication device."

However, the Examiner's citation to column. 7, lines 50-62 of the Buhrmann et al. reference has absolutely nothing to do with the Examiner's alleged modification of modifying "Thompson's system with Buhrmann's disclosed technique in order to provide a convenient software portable telephone set that can condition a transmission frequency signal with the detachable transmitting part as taught by Buhrmann (sic) for flexible application into other

portable devices."

Rather, column 7, lines 50-62 of the Buhrmann et al. reference explains that "telephone identification information is stored in the telephone handset [which] . . . advantageously enables the pager 5 to be mounted to different handsets substantially identical to the handset 10 and to establish wireless telephone communications for respective telephone numbers associated with those handsets. Alternatively, the telephone identification information can be contained in the pager memory 145." In other words, column 7, lines 50-62 of the Buhrmann et al. reference is only concerned with where a telephone identification information is stored.

Therefore, contrary to the Examiner's allegation, column 7, lines 50-62 of the Buhrmann et al. reference has absolutely nothing to do with providing "a convenient software portable telephone set that can condition a transmission frequency signal with the detachable transmitting part as taught by Buhrmann (sic) for flexible application into other portable devices."

Indeed, column 7, lines 50-62 of the Buhrmann et al. reference does not mention anything at all about conditioning a transmission frequency signal, let alone conditioning that transmission frequency signal with a detachable transmitting part.

Moreover, even assuming arguendo that one of ordinary skill in the art would have been motivated to combine these references, the combination would not teach or suggest each and every element of the claimed invention.

None of the applied references teaches or suggests the features of the claimed invention including: 1) a transmitting circuit that is reconfigured afresh in relation to the mounting and demounting of the transmitting function part (claim 1); and 2) a detachable transmitting function

part that conditions a transmission frequency signal received from the transmitting circuit (claims 1, 8, and 20). As explained above, these features are important for providing the ability to condition the transmission frequency signal which may have been generated by a wide band frequency generating circuit to correct any deficiencies in that transmission signal (see, for example, page 3, lines 3-15).

As repeatedly explained earlier, contrary to the Examiner's continued allegation, the Thompson reference does not teach or suggest a transmission circuit that is reconfigured afresh in relation to the mounting and demounting of the transmitting function part as recited by independent claim 1.

Indeed, the Thompson reference does not teach or suggest a transmission circuit that is reconfigured, let alone a transmission circuit that is reconfigured afresh in relation to the mounting and demounting of the transmitting function part.

The Examiner cites col. 3, line 52 through col. 4, line 2 of the Thompson reference in an attempt to support the Examiner's allegation that the Thompson reference discloses a transmission circuit that is reconfigured afresh in relation to the mounting and demounting of the transmitting function part.

However, col. 3, line 52 through col. 4, line 2 of the Thompson reference clearly explains that "separate application modules are available to allow maximum use of the electromagnetic energy spectrum. For example, one application module may allow the communication device to operate at the required frequency and with appropriate protocols for a convenient cellular telephone network. Another application module may have the required frequency and protocols

to allow the communication device to function as a cordless telephone. . . . The present invention allows for simply removing one application module and inserting another application module to allow use of multiple communication networks by each personal communication device."

In other words, col. 3, line 52 through col. 4, line 2 of the Thompson reference clearly explains that each "separate" application module incorporates features and protocols for different networks. Therefore, rather than reconfiguring any transmission circuits, the Thompson reference discloses separate and independent application modules which each incorporate entire transmission circuits that are specifically configured for a corresponding type of transmission protocol. Thus, contrary to the Examiner's allegations, the Thompson reference does not teach or suggest reconfiguring anything, but instead discloses replacing application circuits, none of which are "reconfigured."

The Examiner admits that the Thompson reference does not teach or suggest a detachable transmitting function part that conditions a transmission frequency signal received from the transmitting circuit.

The Buhrmann et al. reference does not remedy the deficiencies of the Thompson reference.

In view of the Examiner's continued misunderstanding of the present invention exhibited by the Examiner, Applicant respectfully submits that a brief review the claimed invention is appropriate.

The claims recite a software portable telephone "detachable transmitting function part" and "transmitting and receiving circuits." The transmitting function part is detachable, because it

is detachable from the software portable telephone set and, in turn, the transmitting and receiving circuits.

The claims also recite that the detachable transmitting function part conditions a transmission frequency signal received from the transmitting circuit.

In other words, the detachable transmitting function part: 1) receives a transmission frequency signal; 2) from the transmitting circuit; and 3) conditions that transmission frequency signal.

These features are important because, as explained above, conventional software portable telephone sets include wide-band active and passive components in order to cope with a plurality of different systems. However, any increase in frequency band coverage is accompanied by a corresponding deterioration in characteristics.

This deterioration is particularly evident on the transmission side of the system. More particularly, it has been particularly difficult to maintain a high efficiency for a transmitting power amplifier over a wide frequency band.

Similarly, it is difficult to increase frequency band coverage without loss in transmission signal filters and isolators.

The present invention overcomes these difficulties by providing a portable telephone set with a detachable transmission module that conditions a transmission frequency signal received from a transmitting circuit. In this manner, the present invention provides the ability to condition the transmission frequency signal which may have been generated by a wide band frequency generating circuit to correct any deficiencies in that transmission signal.

The radio telephone that is disclosed by the Buhrmann et al. reference does not teach or suggest a detachable transmitting function part that: 1) receives a transmission frequency signal; 2) from the transmitting circuit; and 3) conditions that transmission frequency signal.

Rather, the Buhrmann et al. reference discloses a radio telephone having a detachable pager 5. The Buhrmann et al. reference explains that "a single transceiver is employed in the pager that is capable of providing pager service, as well as establishing and receiving radio telephone calls when the pager is mounted to the handset. Since the pager contains the transceiver for the telephone service, the handset need only contain those additional components required for telephone operating such as an earpiece speaker, mouthpiece microphone and a keypad." (Col. 2, lines 45-52).

With reference to Figure 4, the Buhrmann et al. reference further illustrates that all of the frequency signal generating and handling components are entirely contained within the transceiver 180 of the detachable pager.

The Examiner alleges that the "pager 5 - with a transmitter 110 - is a detachable transmitting part."

The Applicant must presume then that the Examiner is alleging that the telephone handset 10 corresponds to the claimed transmitting and receiving circuits.

The Examiner then refers to Figure 4 and alleges that "the transmitter 110 conditions the transmission frequency signal with the use of the frequency synthesizer 120."

There are at least two problems with this statement regarding the language recited by the claims.

First, the claims recite that the detachable transmitting part receives the transmission frequency signal from the transmitting circuit.

The Examiner appears to not appreciate this very important distinction. Indeed, the Examiner does not allege that the pager 5 receives a transmission frequency signal at all, let alone that the pager 5 receives a transmission frequency signal from the telephone handset 10.

Indeed, the telephone set 10 that is disclosed by the Buhrmann et al. reference clearly does not generate any transmission frequency signal at all that could be received by the pager 5.

Rather, the pager 5 includes the only frequency synthesizer circuit that is capable of generating a transmission frequency signal at the frequency synthesizer 120.

Therefore, clearly the Buhrmann et al. reference does not teach or suggest a detachable transmitting function part that receives a transmission frequency signal, let alone a transmission frequency signal from a transmitting part.

Secondly, since the pager 5 does not receive any transmission frequency signal, clearly, the pager 5 does not condition any transmission frequency signal that is received from a transmitting circuit.

Further, the Examiner alleges that the Buhrmann et al. reference discloses "a software for program controlled (sic) or program updated (sic) as the DSP 130 can be incorporated into controller 140 as either circuitry or software (col. 5/lines 43-59).

While the Examiner does not explain the relevance of this statement to the language recited by the claims, this statement appears to be a reference to the ability of the present invention to reconfigure the transmitting circuit afresh in relation to the mounting and

dismounting of the detachable transmitting function part.

However, in regard to this feature, not only does the Buhrmann et al. reference not teach or suggest reconfiguring a transmitting circuit afresh, but the Buhrmann et al. reference does not mention anything at all relating to the ability to reconfigure these transmission systems so that they are able to adapt to various communication systems.

Rather, the Buhrmann et al. reference merely mentions in passing that the pager 5 is controlled by a controller 140.

Further, the telephone/pager device that is disclosed by the Buhrmann et al. reference is subject to the same problems that the present invention solves.

The Buhrmann et al. reference clearly explains that the "single transceiver is employed in the pager that is capable of providing pager service, as well as establishing and receiving radio telephone calls when the pager is mounted to the handset." (Col. 2, lines 45-48).

Therefore, in a manner similar to that described by the specification of the present application, the "single transceiver" requires wide-band active and passive components in order to cope with a plurality of different systems. However, any increase in frequency band coverage is accompanied by a corresponding deterioration in characteristics.

This deterioration is particularly evident on the transmission side of the system. More particularly, it has been particularly difficult to maintain a high efficiency for a transmitting power amplifier over a wide frequency band.

Similarly, it is difficult to increase frequency band coverage without loss in transmission signal filters and isolators.

In stark contrast to the Buhrmann et al. reference, the present invention overcomes these difficulties by providing a portable telephone set with a detachable transmission module that conditions a transmission frequency signal received from a transmitting circuit. In this manner, the present invention provides the ability to condition the transmission frequency signal which may have been generated by a wide band frequency generating circuit to correct any deficiencies in that transmission signal.

The Buhrmann et al. reference clearly does not teach or suggest these features, does not remedy the deficiencies of the Thompson reference and, indeed, suffers from the same problems that the present invention solves.

Therefore, the Examiner is respectfully requested to withdraw the rejection of claims 1-4, 6-12, and 14-20.

B. The Thompson reference in view of the Buhrmann et al. reference and in further view of the Crnkovic et al. reference

Regarding claims 5 and 13, the Examiner alleges that the Buhrmann et al. reference would have been combined with the Thompson reference and further that the Crnkovic et al. reference would have been combined with the combination of the Thompson reference and the Buhrmann et al. reference to form the claimed invention. Applicant submits, however, that these references would not have been combined and even if combined, the combination would not teach or suggest each and every element of the claimed invention.

Applicant submits that these references would not have been combined as alleged by the

Examiner. Indeed, the references are directed to completely different matters and problems.

As explained above, one of one of ordinary skill in the art who was concerned with providing a communication system with enhanced data handling, secure two-way communication, and enhanced information presentation along with an easy to operate and understand communication device as the Thompson reference is concerned with providing would not have referred to the Buhrmann et al. reference because the Buhrmann et al. reference is concerned with the completely different and unrelated problem of providing a pager/telephone device. Thus, the Thompson and Buhrmann et al. references would not have been combined.

In stark contrast to the Thompson reference and the Buhrmann et al. reference, the Crnkovic et al. reference is concerned with the completely different and unrelated problem of attenuating an undesired signal in a portable radio transceiver (col. 2, lines 61-64) by providing a transmitter that produces an undesired signal including a frequency substantially equal to the receiver operating frequency (col. 3, lines 25 - 32) and electrically isolating first and second antennas from each other by a predetermined degree of electrical isolation to attenuate the undesired signal (col. 3, lines 33-38).

One of ordinary skill in the art who was concerned with providing a communication system with enhanced data handling, secure two-way communication, and enhanced information presentation along with an easy to operate and understand communication device as the Thompson reference is concerned with providing or who was concerned with providing a pager/telephone device as the Buhrmann et al. reference is concerned with would not have referred to the Crnkovic et al. reference because the Crnkovic et al. reference is concerned with

the completely different and unrelated problem of attenuating an undesired signal in a portable radio transceiver. Thus, the references would not have been combined.

Moreover, even assuming arguendo that one of ordinary skill in the art would have been motivated to combine these references, the combination would not teach or suggest each and every element of the claimed invention.

As explained above, neither of the Thompson or Buhrmann et al. references teaches or suggests the features of the claimed invention including: 1) a transmitting circuit that is reconfigured afresh in relation to the mounting and demounting of the transmitting function part (claim 1); and 2) a detachable transmitting function part that conditions a transmission frequency signal received from the transmitting circuit (claims 1, 8, and 20).

The Crnkovic et al. reference does not remedy the deficiencies of the Thompson reference and the Buhrmann et al. reference.

Rather, as explained in the previous two Amendments, the Crnkovic et al. reference does not teach or suggest the feature of a detachable transmitting module that conditions the transmission frequency signal received from a transmitting circuit. Indeed, the Crnkovic et al. reference appears to disclose that the transmitter 101 generates its own transmission frequency signal using the signal generator 111 and that the remaining components of the transmitter 101 all remain within the transmitter 101.

Therefore, the Examiner is respectfully requested to withdraw the rejection of claims 5 and 13.

III. FORMAL MATTERS AND CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that claims 1-28, all the claims presently pending in the Application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the Application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: 10/26/04

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